

IN THE CLAIMS:

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please AMEND claims 1, 4, 10, 16, 22, and 26 and CANCEL claim 21 in accordance with the following:

1. (Currently Amended) A system for responding to an incoming phone call from a calling party, comprising:

means for receiving the incoming phone call;

means for generating a user alert in response to the incoming phone call, said generating means including a ring signal detection means;

means at a called party's telephone for enabling selective entry of a user message in response to the alert while the incoming call is pending and still ringing to the ~~calling~~called party; and

means for playing the user message to the calling party, said playing means including means for transmitting said user message from the called party telephone to the calling party telephone via the telephone network; and

a timing means responsive to the ring signal detection means for timing a predetermined period during which a called party can select to generate the user message;

wherein the selective entry means includes means for selecting between recording one or more parameters insertable in a customized pre-recorded message and recording a message without parameters while the incoming call is pending.

2. (Previously Presented) The system of claim 1, further comprising means for releasing the call after playing the user message.

3. (Original) The system of claim 1, further comprising means for displaying caller identification information to the user.

4. (Currently Amended) The system of claim 1, wherein the receiving means includes means for activating a user command interface for ~~predetermining a predetermined~~ period of

time following commencement of the user alert.

5. (Original) The system of claim 1, wherein the receiving means includes a voice recognition unit for recognizing at least one spoken command.

6. (Previously Presented) A system for responding to an incoming phone call from a calling party, comprising:

means for receiving the incoming phone call;

means for generating a user alert in response to the incoming phone call, said generating means including a ring signal detection means;

means at a called party's telephone for enabling selective entry of a user message in response to the alert while the incoming call is pending and still ringing to the calling party; **and**

means for playing the user message to the calling party, said playing means including means for transmitting said user message from the called party telephone to the calling party telephone via the telephone network; and

a timing means responsive to the ring signal detection means for timing a predetermined period during which a called party can select to generate the user message;

wherein the selective entry means includes means for selecting between recording one or more parameters insertable in a customized pre-recorded message and recording a message without parameters while the incoming call is pending;

wherein the receiving means includes a voice recognition unit for recognizing at least one spoken command;

wherein the at least one spoken command includes a predetermined instruction and a variable parameter.

7. (Original) The system of claim 1, wherein the receiving means includes means for manually selecting the user message.

8. (Original) The system of claim 1, wherein the means for receiving includes means for recording an audio user message.

9. (Original) The system of claim 1, wherein the means for receiving includes means for storing the user message.

10. (Currently Amended) A telephony device for playing a customized message to a caller, comprising:

a ring detector generating a detection signal in response to an incoming telephone call;
a ringer alerting a called party to the incoming call in response to the detection signal;
a command interface for receiving one or more message parameters from the called party while the incoming call is pending and still ringing to the called party; and
a controller for activating the command interface in response to the detection signal and for transferring the customized message to the caller, wherein the controller is an element of the telephone, the customized message being transferred from the telephony device via the telephone network wherein the controller is configured to selectively either record the customized message while the incoming call is pending or receive one or more parameters in a pre-recorded message while the incoming call is pending;
wherein the telephony device can respond to the incoming telephone call by answering the call, transferring the customized message and releasing the call or can accept the call by going off hook.

11. (Original) The telephony device of claim 10, further comprising:

a voice recognition unit for receiving spoken commands that include the message parameters.

12. (Original) The telephony device of claim 10, further comprising:

an audio interface for receiving a spoken message from the called party.

13. (Original) The telephony device of claim 12, further comprising:

a memory for storing the spoken message.

14. (Previously Presented) The telephony device of claim 10, further comprising:

a key pad permitting the called party to manually enter the message parameters.

15. (Previously Presented) The telephony device of claim 10, further comprising:

a caller identification unit for displaying caller information to the called party.

16. (Currently Amended) A method for presenting an audio message to a telephone caller, comprising:

detecting, at a recipient telephone, ring signaling for an incoming telephone call; generating, from the recipient telephone, a user alert in response to the incoming telephone call ring signaling, based on the incoming telephone call; receiving a command from a called party in response to the user alert while the incoming call is pending and still ringing to the called party; generating, from the recipient telephone, an audio message based on the command while the incoming call is pending, wherein the generating the audio message includes providing an option of recording an outgoing message or recording one or more parameters insertable into a pre-recorded message; answering the incoming telephone call; and playing the audio message to the telephone caller over the telephone network.

17. (Original) The method of claim 16, further comprising:

activating a voice recognition unit to receive the command.

18. (Original) The method of claim 16, further comprising:

recording a spoken message from the called party and including the spoken message in the audio message.

19. (Original) The method of claim 16, further comprising:

manually entering the command using a keypad.

20. (Previously Presented) The system of claim 1, wherein the system is incorporated within a telephone.

21. (Cancelled)

22. (Currently Amended) The telephony device of claim 10, wherein the ring detector is configured to detect the incoming phone call based on the incoming phone call-itself.

23. (Previously Presented) The telephony device of claim 22, wherein the ring detector is configured to detect a ring signal of the incoming telephone call.

24. (Previously Presented) The method of claim 16, wherein the detecting step detects

the incoming telephone call by detecting a ring signal of the incoming telephone call.

25. (Previously Presented) The system of claim 1, wherein said means for playing the user message to the calling party is configured to cause playing the user message to the calling party in some instances in which the user refuses to answer the incoming phone call.

26. (Currently Amended) The system of claim 1, wherein the means for generating a user alert in response to the incoming phone call comprises means for detecting the incoming phone call based on the incoming phone call-itself.

27. (Previously Presented) The system of claim 26, wherein the means for detecting the incoming phone call comprises means for detecting a ring signal of the incoming telephone call.